

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * * * *

FELTON L. MATTHEWS,)	
)	
Plaintiff,)	3:07-cv-00565-LRH (VPC)
)	
v.)	
)	<u>ORDER</u>
LINDA BUCK, et al.,)	
)	
Defendants.)	
_____)	

The court has considered the Report and Recommendation of U.S. Magistrate Judge Valerie P. Cooke (#82¹) entered on January 30, 2009, in which the Magistrate Judge recommends that Defendants' Motion for Summary Judgment (#66) be granted; Plaintiff's Motion to Strike/Dismiss Motion for Summary Judgment with Request for Contempt Charges (#68), Plaintiff's Motion for Leave to Supplement Motion to Strike w/Opposition for Extension of Time to Produce Discovery (#69), and Plaintiff's Motion for Leave and Motion Supplementing Reply to Defendants' Motion for Summary Judgment (#73) be denied, and Plaintiff's Motion to Strike Court Docket #73 (#74) be granted. Plaintiff filed his Objections to Magistrate's Report and Recommendations (#85) on February 9, 2009, and Defendants filed their Response to Plaintiff's Objections to Magistrate's Report and Recommendation on February 23, 2009 (#87), pursuant to 28 U.S.C. § 636(b)(1) and Local Rule 1B

¹Refers to court's docket number.

1 3-2 of the Rules of Practice of the United States District Court for the District of Nevada.

2 The Court has conducted its *de novo* review in this case, has fully considered the objections
3 of the Plaintiff, the pleadings and memoranda of the parties and other relevant matters of record
4 pursuant to 28 U.S.C. § 636 (b) (1) and Local Rule IB 3-2. The Court determines that the Magistrate
5 Judge's Report and Recommendation (#82) entered on January 30, 2009, should be adopted and
6 accepted.

7 Also before the court is the Report and Recommendation of U.S. Magistrate Judge Valerie
8 P. Cooke (#83) entered on February 2, 2009, in which the Magistrate Judge recommends that Plaintiff's
9 Motion for Emergency Preliminary Injunction (#57) be denied. No objection to the Report and
10 Recommendation was filed. The Court has considered the pleadings and memoranda of the parties and
11 other relevant matters of record and has made a review and determination in accordance with the
12 requirements of 28 U.S.C. § 636 and applicable case law, and good cause appearing, the court hereby
13 determines that the Magistrate Judge's Report and Recommendation (#83) entered on February 2,
14 2009, should be adopted and accepted.

15 IT IS THEREFORE ORDERED that the U.S. Magistrate's Report and Recommendation
16 (#82) entered on January 30, 2009, and U.S. Magistrate's Report and Recommendation (#83) entered
17 on February 2, 2009, are adopted and accepted, as follows:

- 18 1. Defendants' Motion for Summary Judgment (#66) is GRANTED;
- 19 2. Plaintiff's Motion to Strike/Dismiss Motion for Summary Judgment with Request
20 for Contempt Charges (#68) is DENIED;
- 21 3. Plaintiff's Motion for Leave to Supplement Motion to Strike w/Opposition for
22 Extension of Time to Produce Discovery (#69) is DENIED;
- 23 4. Plaintiff's Motion for Leave and Motion Supplementing Reply to Defendants'
24 Motion for Summary Judgment (#73) is DENIED;
- 25 5. Plaintiff's Motion to Strike Court Docket #73 (#74) is GRANTED; and

1 6. With the granting of Defendants' Motion for Summary Judgment (#66), Plaintiff's
2 Motion for Emergency Preliminary Injunction (#57) is dismissed as moot.

3 The Clerk of the Court shall enter judgment accordingly.

4 IT IS SO ORDERED.

5 DATED this 4th day of March, 2009.

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LARRY R. HICKS
UNITED STATES DISTRICT JUDGE